IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.11615 of 2008
SAHEB MANDAL
Versus
STATE OF BIHAR
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3. 18/07/2008 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph 7 of the petition.

This is a case of misuse of privilege of bail. It is said that the petitioner was granted bail by the court below earlier on 29.3.1990 and since then he continued on bail and continued to appear in the case. However, on default in appearing in the case, his bail bond was cancelled on 24.4.2002. It is submitted that the petitioner went outside the State for his livelihood and he had entrusted pairvi of the case to one pairvikar of the court. However, since the said pairvikar was not diligent, there was default on his part and the bail bond was cancelled and petitioner was finally apprehended on 19.11.2007 and since then he is in custody.

In view of the fact that the petitioner had been granted bail earlier and was taking all

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due steps in the case, this application is allowed. Let petitioner Saheb Mandal be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge, F.T.C.-III, Bhagalpur in Sessions Trial No.48 of 2005, arising out of G.R.P.S.Case No.003 of 1989, subject to the conditions that petitioner will appear in the case on each and every date, failing which the trial court shall be at liberty to cancel his bail bond and take him into custody.

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Pradeep/ **(J. N. Singh, J.)**